

NOV 05 2003



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Approved for use through 9/30/00

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

PTO/SB/01 (8/96)		Attorney Docket Number	1256-00777
		First Named Inventor	Hector F. DeLuca
<b>COMPLETE IF KNOWN</b>			
Declaration <input type="checkbox"/> Submitted with Initial Filing		Declaration <input checked="" type="checkbox"/> Submitted after Initial Filing	Application Number 10/614,964
			Filing Date 07/08/2003
			Group Art Unit 1614
			Examiner Name

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

(20S)-1 $\alpha$ -Hydroxy-2-Methylene-19-Nor-Vitamin D<sub>3</sub> and Its Uses

(Title of the Invention)

the specification of which

 is attached hereto

OR

 was filed on (MM/DD/YYYY) 07/08/2003 as United States Application Number or PCTInternational Number   and was amended on (MM/DD/YYYY)    
(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or §365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Copy Attached?	
			<input type="checkbox"/>	YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority sheet attached hereto:

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	Additional provisional Application numbers are listed on a supplemental priority sheet attached hereto.
		<input type="checkbox"/>

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DECLARATION

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s), or §365C of any PCT international application designated the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States of PCT International application in the manner provided by the first paragraph of Title 35, United States Code §112. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

Additional U.S. or PCT international application numbers are listed on a supplemental priority sheet attached hereto.

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Name	Registration Number	Name	Registration Number
Daniel D. Fetterley	20,323	Joseph D. Kuborn	40,689
George H. Solveson	25,927	Jeffrey S. Sokol	35,686
Gary A. Essmann	29,376	Peter T. Holsen	P54,180
Thomas M. Wozny	28,922	William L. Falk	27,709
Michael E. Taken	28,120		
Joseph J. Jochman, Jr.	25,058		

Additional attorney(s) and/or agent(s) named on a supplemental sheet attached hereto.

Please direct all correspondence to: Name Thomas M. Wozny

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:  A petition has been filed for this unsigned inventor

Given Name (first and middle [if any])

Family Name or Surname

Hector F.

*Hector F. DeLuca*

DeLuca

Inventor's Signature

Date 10/22/03

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Rafal R.

Sicinski

Inventor's Signature

*R. Sicinski*

Date

10/22/03

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Additional inventors are being named on supplemental sheet(s) attached hereto.

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DECLARATION				ADDITIONAL INVENTOR(S) Supplemental Sheet			
Name of Additional Inventor, if any: Given Name (first and middle [if any])				<input type="checkbox"/> A petition has been filed for this unsigned inventor Family Name or Surname			
Pawel K.				Grzywacz			
Inventor's Signature <i>Pawel Grzywacz</i>				Date 10/22/2003			
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<input type="checkbox"/> Additional inventors are being named on supplemental sheet(s) attached hereto.							



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/614,964  
Applicant : Hector F. DeLuca et al  
  
Filed : July 8, 2003  
Title : (20S)-1 $\alpha$ -Hydroxy-2-Methylene-19-Nor-Vitamin D<sub>3</sub> and Its Uses  
TC/A.U. : 1614  
Examiner :  
  
Docket No. : 1256-00777

) CERTIFICATE OF MAILING  
I hereby certify that this correspondence is  
being deposited with the United States  
Postal Service with sufficient postage as  
first class mail in an envelope addressed to:  
Commissioner of Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450, on this 3rd  
day of November, 2003.  
\_\_\_\_\_  
Dorothy A. Hauser November 3, 2003  
Dorothy A. Hauser Date

TRANSMISSION OF EXECUTED DECLARATION

Mail Stop: Box Missing Parts - Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the "Notice to File Missing Parts", mailed October 2, 2003, copy attached, enclosed for filing in the above application is the executed Declaration.

A check in the amount of \$65.00 is attached for the surcharge.

The Commissioner is hereby authorized to charge any additional fees in accordance with 37 C.F.R. 1.16(e) to Deposit Account No. 01.2000. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

By Thomas M. Wozny  
Thomas M. Wozny  
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